

Yesler Terrace Planned Action
Exhibit B to Ordinance:
Planned Action Mitigation Document

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INTRODUCTION AND PURPOSE

The State Environmental Policy Act (SEPA) requires environmental review for project and nonproject proposals, subject to certain exemptions. In order to meet SEPA requirements, Seattle Housing Authority issued the *Draft Environmental Impact Statement (DEIS) for Yesler Terrace Redevelopment* on October 19, 2010 and the *Final Environmental Impact Statement (FEIS) for Yesler Terrace Redevelopment* on April 13, 2011. The DEIS together with the FEIS is referenced herein as the "EIS". The EIS identified beneficial and adverse impacts that are anticipated to occur with the future development of the Yesler Terrace Planned Action Site, together with a number of possible measures to mitigate those adverse impacts. SEPA provides that no threshold determination is required for a proposed project that is consistent with a Planned Action Ordinance. The purpose of this Mitigation Document is to establish specific mitigation measures and other conditions that must be included in proposed project actions in order for them to qualify as "planned actions" under the Yesler Terrace Planned Action Ordinance (introduced as Council Bill _____); referred to as the "Planned Action Ordinance" or "PAO."

GENERAL INTERPRETATION

Capitalized terms used in this document and not defined in it, if defined in the PAO, have the meanings set forth in the PAO.

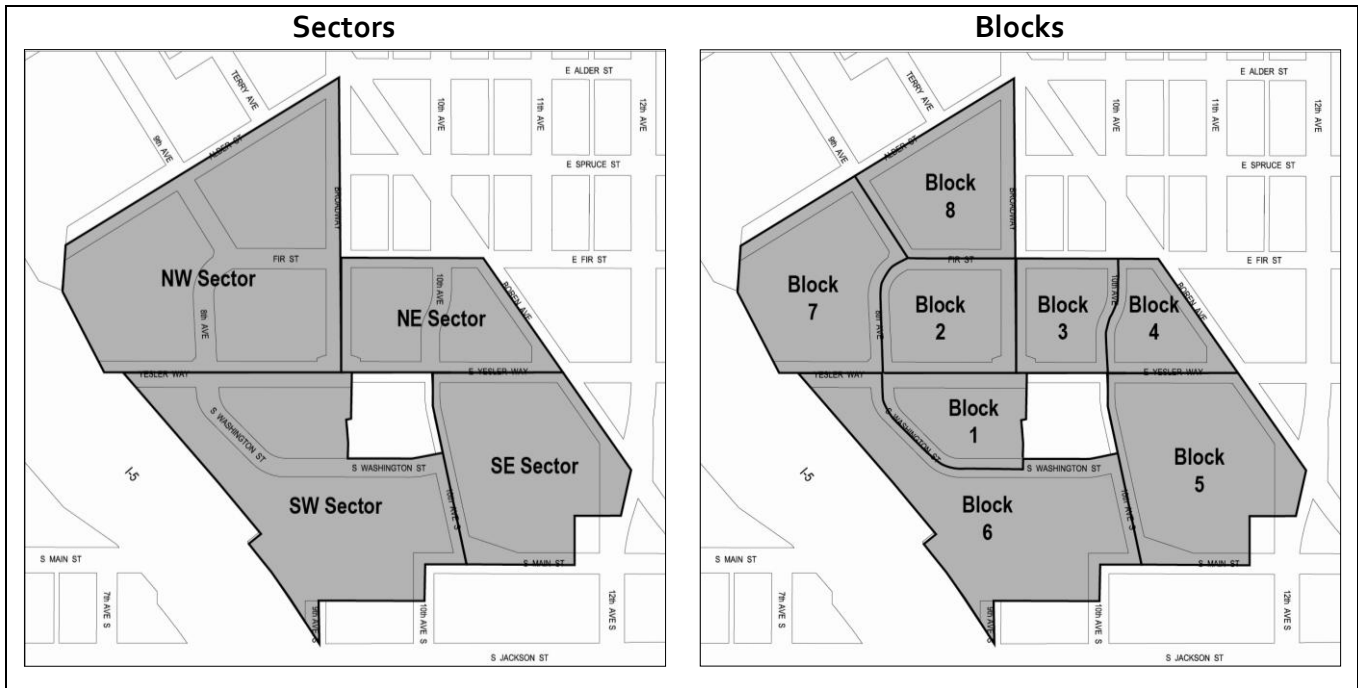
The organization of this document follows the structure of the Yesler Terrace Redevelopment EIS. Mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant to fund and/or perform. For convenience, the term "mitigation" is used to include all conditions and features that are necessary for "planned action" status and are not included in the PAO itself, or that will become requirements as a result of the applicant's decision to seek a determination of planned action status. Mitigation measures are based on the description of the proposal as well as findings and analysis in the EIS, but that material is generally not repeated in this document.

The mitigation measures necessary for planned action status under the Planned Action Ordinance are the same whether the proposal is submitted by the Seattle Housing Authority (SHA) or any other entity. An applicant seeking a determination that a proposed project is a planned action will complete a checklist and submit other materials required by DPD in order to determine whether it is a planned action as part of the Master Use Permit application process. Any requirements for mitigation occurring after permit issuance (e.g., "during construction," "prior to certificate of occupancy," "for the life of the project") must be imposed as conditions of the grading permit, building permit, and/or Master Use Permit, whichever is most applicable for the condition.

Mitigation measures required during construction of a planned action shall be posted by the permit applicant at the construction site in a location on the property line that is visible and accessible to the public and construction personnel from the street right-of-way. The conditions shall be affixed to placards prepared by DPD and issued along with the building permit. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

Certain mitigation measures in this document follow the delineation of sectors and blocks established in Chapter 23.75 of the Seattle Municipal Code, as shown in Figure 1.

Figure 1: Yesler Terrace sectors and blocks



In addition to the specific mitigation measures identified in this document, development within the Planned Action Site is regulated by laws and regulations including federal and state standards, National Environmental Policy Act (NEPA) conditions (administered by the City's Human Services Department), the Seattle Municipal Code (SMC), and associated Director's Rules. This mitigation document does not attempt to address all impacts, many of which are covered by codes and other legally binding conditions on development. Applicable SMC Titles with provisions that may relate to mitigation include:

- Title 15 Street and Sidewalk Use
- Title 21 Utilities
- Title 22 Building and Construction Codes
- Title 23 Land Use Code
- Title 25 Environmental Protection and Historic Preservation

EARTH

Prior to Issuance of a Building Permit

- The Planned Action Site includes tunnels built for drainage and slope stabilization in the early 20th Century. SPU has determined that these tunnels no longer provide a significant drainage function, and consequently has abandoned them. The applicant shall retain a geotechnical engineer to investigate and analyze slope stability and groundwater, including any underlying drainage tunnels. This analysis may be provided for an individual lot or for the drainage tunnels as a whole. If one or more tunnels are present below the lot proposed for development, the applicant must demonstrate that the proposed building and drainage plans are adequate to protect life, property, and utilities, and that the proposed actions will not increase risk of landslides on the affected property or adjacent properties.

AIR QUALITY

Prior to Issuance of a Building Permit

- For residential buildings on lots that are located wholly or partially within 200' of the Interstate 5 right-of-way, all common area makeup air intakes shall include HEPA filtration systems. For purposes of this requirement, 200' shall be measured from the eastern boundary of the Interstate 5 right-of-way.

During Construction

- Best management practices (BMPs) shall be implemented to reduce construction-related emissions. Such practices shall include measures for reducing exhaust emissions and fugitive dust, as follows:
 - Require that contractors use ultra-low sulfur diesel, bio-diesel, compressed natural gas, or compressed propane. If equipment uses diesel, it shall have been retrofitted with diesel control technology before use at Yesler Terrace.
 - Use Commute Trip Reduction (CTR) and other Transportation Demand Management (TDM) programs for construction workers.
 - Implement restrictions on construction truck and other vehicle idling, limiting idling time to a maximum of two minutes.
 - Spray exposed soil with water or other suppressant to reduce emissions and deposition of particulate matter (PM).
 - Pave or use gravel on staging areas and access roadways that will be exposed and subject to erosion for longer than a month.
 - Cover all trucks transporting materials, wet or dry, or provide adequate freeboard (space from the top of the material to the top of the truck bed), to reduce PM emissions and deposition during transport.
 - Provide wheel washers to remove PM that would otherwise be carried off site by vehicles to decrease deposition of PM on area roadways.
 - Cover dirt, gravel, and debris piles to reduce dust and windblown debris.
 - Stage construction to reduce transportation system congestion and delays, in order to reduce local emissions during construction.

PLANTS AND ANIMALS

Prior to Issuance of a Demolition, Grading, Building, or Master Use Permit

- Development proposals shall comply with the Yesler Terrace Tree Protection Plan (Yesler Terrace Planned Action Ordinance Exhibit C).

ENERGY – CLIMATE CHANGE AND GREENHOUSE GAS EMISSIONS

During Construction

- 75% of non-hazardous demolition and constructions waste must be diverted from landfill disposal.
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NOISE

Prior to Issuance of a Demolition, Grading, Master Use or Building Permit

- The applicant shall submit a construction noise mitigation plan, subject to review and approval by DPD. This plan will include steps to limit decibel levels and duration of construction-related noise, as well as procedures for advanced notice to surrounding properties. All construction activities are limited to non-holiday weekdays between 7:00 A.M. and 6:00 P.M., except that quieter activities approved through a mitigation plan are allowed:
 - On non-holiday weekdays between 6:00 P.M. and 8:00 P.M.;
 - On Saturdays between 9:00 A.M. and 6:00 P.M.; and
 - For emergencies or work that must be done to coincide with street closures, utility interruptions or other similar necessary events.

At a minimum, the plan shall require that all construction activities include the following noise reduction measures:

- Contractors shall use properly sized and maintained mufflers, engine intake silencers, and engine enclosures, and shall turn off idle equipment.
- Mufflers shall be in good working order. Engine enclosures shall be used on equipment when the engine is the dominant source of noise.
- Stationary equipment shall be located as far away from noise-sensitive receiving locations as possible. Where noise impacts are still significant, portable noise barriers shall be placed around the equipment with the opening directed away from noise-sensitive receiving locations.
- To the extent feasible, hydraulic or electric models shall be substituted for impact tools such as jack hammers, rock drills and pavement breakers to reduce construction and demolition noise. Electric pumps shall be specified if pumps are required.
- To the extent feasible, contractors shall use broad-band or ambient sensing vehicle back-up alarms.
- Construction staging areas expected to be in use for more than two weeks shall be located away from noise-sensitive receivers, particularly occupied residential units.
- Contractors shall use temporary noise barriers to shield noise-sensitive uses, and orient work areas to minimize noise transmission to noise-sensitive off-site locations.

Prior to Issuance of a Master Use or Building Permit

- For development proposals including residential units in locations where exterior average sound levels exceed 65 dB(A) Ldn, the applicant shall demonstrate that building materials and techniques will be employed to reduce the transmission of noise from outside to inside spaces, such that interior sound levels in residential units are 45 dBA Ldn or less.

During Construction

- Contractors shall follow the construction noise mitigation plan required above.
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LIGHT AND GLARE

For the Life of the Project

- Exterior lighting, both construction-related and permanent, shall be shielded and directed away from adjacent buildings, and from helicopters using Harborview Medical Center's heliport.
 - Glazing shall have an exterior reflectance rating not to exceed .20. No first surface reflective coatings shall be permitted.
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HISTORIC RESOURCES

Prior to Issuance of a Master Use Permit

- Any alterations to the exterior of the steam plant, a designated City of Seattle landmark, including demolition of the building, shall not be undertaken without the review and approval of the City Landmarks Preservation Board.
- If a project is proposed adjacent to or across the street from a designated landmark, the Director shall refer the proposal to the City's Historic Preservation Officer for review pursuant to SMC 25.05.675.H.2.d.

Prior to Issuance of a Demolition, Grading, or Building Permit, and During Construction

- Permit applications for proposed project actions adjacent to or across the street from designated landmark structures shall include measures to avoid structural damage to these historic buildings that could occur due to construction-related vibrations and/or grading. All grading, pile driving, shoring, and other land-disturbing activity shall be designed and monitored in order to minimize and/or immediately address any such impacts to these historic properties. Monitoring shall include crack monitors placed on adjacent landmark structures, periodic observation, and photography to document the structural integrity of these historic buildings and determine whether there was resulting damage of interior or exterior finishes, or exterior masonry and/or framing. If such damage occurs as a result of the project, the applicant shall repair any damage to the affected buildings.
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TRANSPORTATION

Prior to Issuance of a Master Use Permit or Building Permit

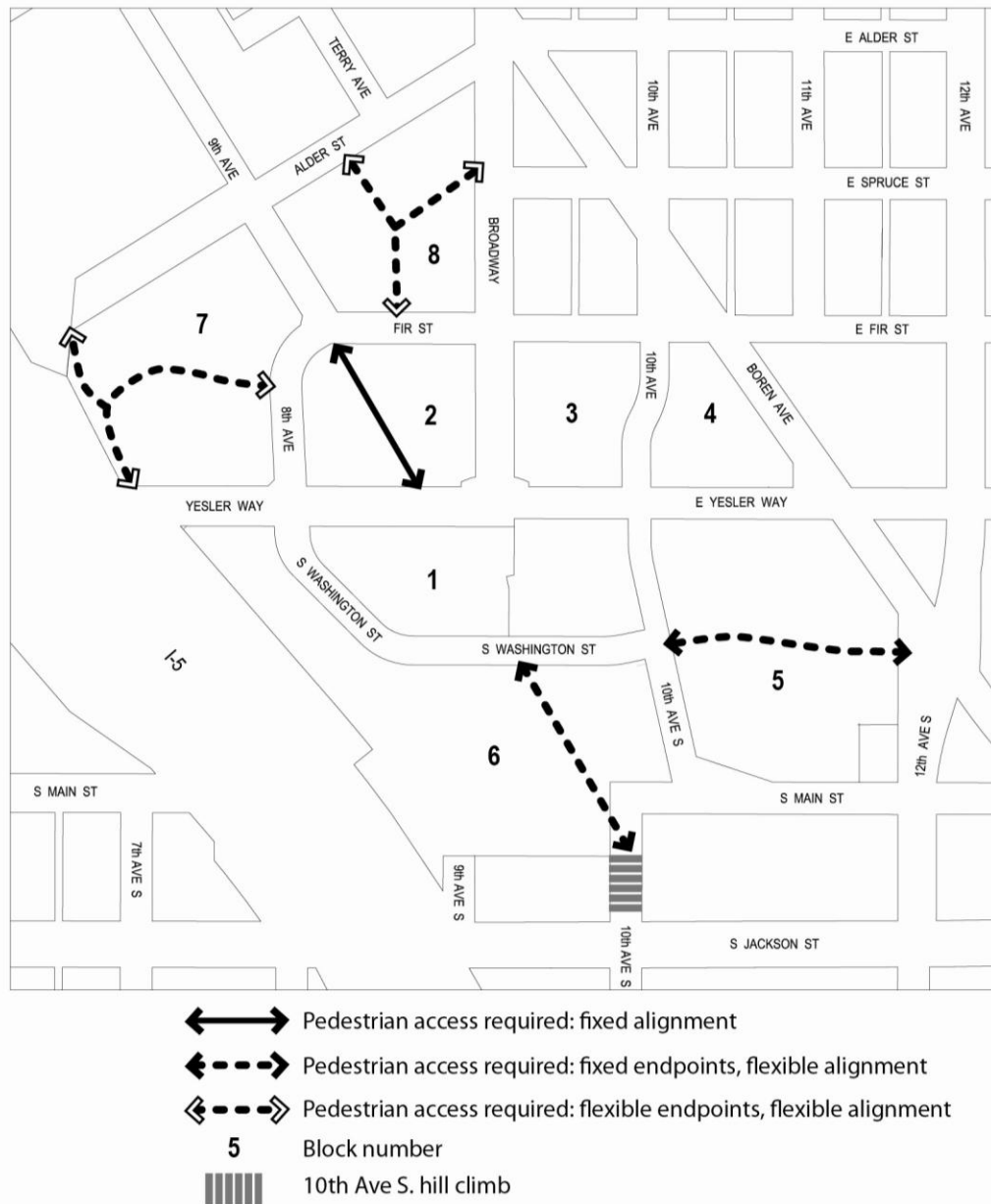
- Types of public pedestrian access. To be consistent with the Yesler Terrace Planned Action Ordinance, development must include through-block public pedestrian access in certain locations, as specified in this ordinance. Public pedestrian access must be within one of two alternative wider areas:

- Pedestrian pathway. Each pedestrian pathway shall be established as an easement a minimum of 32 feet wide. Within the 32-foot easement, a public easement with a minimum width of 15 feet at all points must be accessible to the general public without charge. The portion of the 32-foot pathway that is not designated for public use by easement may contain amenity area for use by residents in adjacent buildings. Pedestrian pathways shall not allow automobile traffic except for emergency or maintenance vehicles, although they may intersect an access drive.
 - Access drive. Each access drive shall be established as an access easement a minimum of 32 feet wide. Within the access drive, a clear pedestrian zone with a minimum width of 6 feet at all points must be accessible to the general public without charge. Access drives may allow automobile traffic.
- Easement conditions. Whether built as a pedestrian pathway or access drive, easements for each required public pedestrian access area shall include the following restrictions:
 - Hours of access. Public pedestrian access areas must be available to the general public from 6 a.m. to 10 p.m., each day of the year. Even when closed for public access, these areas may not be gated or otherwise physically closed off.
 - Allowed access. Easements shall allow individuals to engage in all activities allowed on a public sidewalk, except that those activities that would require a street use permit if conducted on a public sidewalk may be excluded or restricted. Free speech activities shall be allowed, including hand billing, signature gathering, and holding signs, all without obstructing access to or through the easement area, or to adjacent buildings or property. While engaged in allowed activities, member of the public may not be asked to leave for any reason other than conduct that unreasonably interferes with the enjoyment of the space by others. The terms of an easement may provide that access may be limited temporarily for necessary maintenance, or restricted for reasons of public safety, implementing the Seattle Police Department's Criminal Trespassing Program (SMC 12A.08.040).
 - Easements shall be permanent, enforceable by the City, and subject to amendment or termination only by agreement of the property owners and the City.
- Locations of public pedestrian access areas required as a condition to planned action status for development in various blocks are described in Table 1 and depicted in Figure 2. Development located anywhere in Blocks 2, 5, 6, 7 and 8 is not consistent with the Planned Action Ordinance unless a pedestrian pathway or access drive easement has been recorded before a master use permit or building permit is issued for the development, whichever is earlier. Easements must be established by an instrument executed by all owners of property subject to the easement and recorded with the King County Recorder's Office.

Table 1: Locations of required public pedestrian access

Block	Type of access	Location criteria
2	Pedestrian pathway	Extends from the northwest corner of the block to Yesler Way, continuing the alignment of 9 th Avenue for pedestrians through to Yesler Way.
5	Pedestrian pathway <i>or</i> access drive	Connects the intersection of 10 th Ave S and S. Washington Street to the intersection of Boren Ave. S. and 12 th Ave S.
6	Pedestrian pathway	Connects S. Washington Street to the 10 th Ave S. hill climb. The north end shall align with Broadway projected from the north, and the south end shall connect to the top of the 10 th Ave hill climb.
7	Pedestrian pathway <i>or</i> access drive	Connects at least two of the streets bordering the block. The ends shall connect to the sidewalk and must be located farther than 60 feet from each property line corner abutting a street intersection.
8	Pedestrian pathway <i>or</i> access drive	Connects at least two of the streets bordering the block. The ends shall connect to the sidewalk and must be located farther than 60 feet from each property line corner abutting a street intersection.

Figure 2: Required public pedestrian access



- Each Master Use Permit application shall identify the estimated number of new motor vehicle trips resulting from the proposal. To the extent that the proposal will cause the estimated total number of trips generated from all development at the Yesler Terrace Planned Action Site to exceed the threshold levels set forth in Table 2 (below), the proposal shall provide intersection improvements as identified in Table 2 based on the thresholds to be exceeded, except for improvements already in place or in process. Intersection improvements are subject to approval by the Director of Transportation; if the Director of Transportation recommends deferring improvements, these planned action requirements may be deferred accordingly. Calculation of trip generation shall use the methodology used in the DEIS Appendix N, "Transportation Technical Report," filed with the City Clerk as C.F. [REDACTED],

or any subsequent methodology and assumptions approved by the Director of Planning and Development.

Table 2: Thresholds for mitigation implementation

Intersection Name	Description of Improvement	PM Peak Hour Trip Threshold for Mitigation: Number of New Trips
12th Avenue/ E Cherry Street	Restripe E Cherry Street and change signal to provide conventional left turn phasing (instead of separate phases for eastbound and westbound traffic).	1,060
12 th Avenue/ E. Yesler Way	Change signal timing to provide slightly longer north-south phase to account for lane change due to streetcar.	730
Rainier Avenue S./ S Dearborn Street	Add a southbound right turn pocket on Rainier Avenue S.	1,000
7th Avenue/ Cherry Street	Change cycle length to full cycle to match intersection at 6th Avenue/Cherry Street.	65
9th Avenue/ Cherry Street	Convert to an all-way, stop-controlled intersection.	65
9th Avenue/ Jefferson Street	Signalize.	1,060
9th Avenue/ Alder Street	Convert to an all-way, stop-controlled intersection.	330
8th Avenue/ Yesler Way	Install a traffic signal with left-turn pockets on all approaches.	330
6th Avenue/ James Street	Retime intersection.	65
6th Avenue/ Yesler Way	Signalize.	65

- Each Master Use Permit application for one or more new structures containing 12,000 square feet or more of office uses shall include a Transportation Management Program, complying with Director's Rule 9-2010 ("Transportation Management Programs"). Office-related TMPs shall have a goal of no more than 20% drive-alone commute trips, and shall include all required TMP elements as well as two or more of the following elements:
 - **Share office parking on weeknights and weekends.** Parking at non-residential garages could be made available for evening and weekend use by residential visitors or for residents who commute during the day. This would use parking more efficiently and help avoid excess parking.
 - **Unbundle parking from office leases.** Office tenants could be required to pay for parking as a separate fee from their office space lease. This promotes use of alternative transportation modes by itemizing the cost of parking.
 - **Charge for parking.** All office employees and visitors could be required to pay for parking at the market rate in the area.

- **Offer a flex-pass for parking that limits the number of days an employee can park.** Most parking passes are sold on a monthly basis and allow unlimited parking during that month. A flex-pass would be a lower-cost option that would limit the number of days it can be used each month. This type of pass is a good option for employees who walk, take transit or ride a bike to work some days a week, but need a car on certain days for work or personal business.
- **Do not reserve individual spaces for office parking.** Leases could be structured so that parking spaces at office buildings are not reserved for individual users. This allows all office parking to be shared by employees, and reduces the overall supply requirement.
- **Provide parking for car-sharing programs.** Car-sharing programs (e.g., Zipcar) allow residents and/or employees to share a pool of vehicles, which reduces parking demand.
- **Provide transit passes and access to carpools and van pools.** Increased ridership of buses, the First Hill Streetcar, carpools, and van pools will allow residents and employees to reduce single-occupancy vehicle trips.
- **Provide end-of-trip bicycle facilities.** Secured bike parking, showers, and lockers will encourage employees to travel by bicycle to and from work, reducing single-occupancy vehicle trips.
- Each Master Use Permit application for one or more new structures containing 20 or more residential units shall include two or more of the following measures to reduce the total amount of parking and the number of drive-alone commute trips:
 - **Shared parking.** This would use parking more efficiently and help avoid excess parking.
 - **Unbundle parking from residential units.** This allows residents to choose whether to pay for a parking stall.
 - **Provide parking for car-sharing programs.** Car-sharing programs (e.g. Zipcar) allow residents and/or employees to share a pool of vehicles, which reduces parking demand.
 - **Provide transit passes and access to carpools and van pools.** Increased ridership of buses, the First Hill Streetcar, carpools, and van pools will allow residents to reduce single-occupancy vehicle trips.
 - **Provide transportation information centers.** This can be achieved in lobbies of buildings, at the community center, or through a transportation coordinator for the entire redevelopment to help Yesler residents learn about transportation options.

Prior to Issuance of a Certificate of Occupancy

- Construction timing. Public pedestrian access improvements shall be provided as follows for all development abutting or including a required pedestrian pathway or access drive provided as a condition to planned action status (see Figure 2 and preceding public pedestrian access requirements), except for renovation of the steam plant. The first such development abutting or including any portion of a such a pedestrian pathway or access drive shall not receive its certificate of occupancy until the required publicly accessible walking surface is constructed, meeting the improvement conditions below. This requirement applies along the full length of where the development lot abuts or contains the pedestrian pathway or access drive.
- Public pedestrian access improvements.

- Access. The public pedestrian access area shall be improved with a surface and necessary drainage so as to be suitable for pedestrian use in all seasons, to at least the minimum width set forth above.
- Coverage. At least 80% of the pedestrian pathway or access drive shall be open to the sky. Any covered portions of a pedestrian pathway must have a minimum height of 10 feet between the ground and any overhead projection, overhanging structure, or weather protection. Any covered portions of an access drive must have a minimum height of 26 feet between the ground and any overhead projection, overhanging structure, or weather protection.
- The public pedestrian access area must include sufficient lighting to provide visible and safe passage for pedestrians during all hours that the area is available for public use.
- Permanent signage alerting passersby to the existence of a public pedestrian access area must be placed in visible locations at entrances to the access area. Signage is subject to approval of the Director of Planning and Development.

PUBLIC UTILITIES

Prior to Issuance of a Building Permit

Plumbing fixtures meeting EPA WaterSense standards, or certified to meet a standard that is determined by the Director to provide substantially equal or better water conservation, shall be specified for all fixtures except kitchen faucets.